

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE PETROBRAS SECURITIES LITIGATION

No. 14-cv-9662 (JSR)

**NOTICE OF MOTION TO DISMISS**

PLEASE TAKE NOTICE that, upon the Memorandum of Law In Support of Defendants' Motion to Dismiss the Consolidated Amended Complaint (the "Memorandum"), the Declaration of Roger A. Cooper, dated April 17, 2015, together with the exhibits attached thereto, as well as all the prior pleadings and proceedings herein, the undersigned, will move this Court before the Honorable Jed S. Rakoff, United States District Judge at the United States Courthouse located at 500 Pearl Street, New York, New York, 10007, on May 28, 2015, at 2:00 p.m., or at such other date and time determined by the Court, for an order pursuant to Rules 8, 9(b), 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure granting Defendants' motion to dismiss with prejudice the Consolidated Amended Complaint.

The undersigned defendants move to dismiss all claims asserted against them in the CAC. In specific, (1) defendant Petróleo Brasileiro S.A. ("Petrobras") moves to dismiss Counts I, III-V and VII-VIII as against it; (2) Petrobras Global Finance B.V. ("PGF") moves to dismiss Counts VII and VIII as against it; (3) individual defendant Theodore Helms (with Petrobras and PGF, the "Petrobras Defendants") moves to dismiss Counts I, III and VII as against him, and (4) the Underwriter Defendants (as defined in footnote 1 of the Memorandum) move to dismiss Count VII as against them.

The CAC asserts claims against additional defendants, but, to the moving defendants'

knowledge, none have been served with process, and none have appeared in this case.

As set forth in the Scheduling Order, ECF No. 105, Plaintiff shall file any opposition to this motion by May 8, 2015, and Defendants shall file any reply by May 22, 2015.

Dated: April 17, 2015  
New York, New York

CLEARY GOTTlieb STEEN &  
HAMILTON LLP

SKADDEN, ARPS, SLATE, MEAGHER &  
FLOM LLP

By: /s/ Mitchel A. Lowenthal  
Mitchell A. Lowenthal  
Roger A. Cooper

By: /s/ Jay B. Kasner  
Jay B. Kasner  
Scott D. Musoff

One Liberty Plaza  
New York, New York 10006  
(212) 225-2000

4 Times Square  
New York, New York 10036  
(212) 735-3000

*Attorneys for the Petrobras Defendants*

*Attorneys for the Underwriter Defendants*